

## REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, October 24, 1935.

The meeting was called to order at 10:45 A. M., with Mayor Tom Miller presiding, Roll call showed the following members present: Councilmen C. F. Alford, C. M. Bartholomew, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf, 5; absent, none.

The Minutes of the regular meetings of October 10 and October 17 were read and upon motion of Councilman Bartholomew were adopted, as read, by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Having been absent at the regular meeting of October 3, Councilman Bartholomew asked that the Minutes of said meeting be read and same were duly approved by him.

Frank D. Kerbow, Attorney for Fred G. Tacquard, submitted a claim for the standing reward of \$300, offered by the City of Austin for the arrest and conviction of persons found guilty of arson, by reason of the testimony of his client in the trial of persons charged with the burning of a residence at 3709 Cedar Street on July 30, 1935. The matter was deferred, pending the return of the City Manager.

Councilman Gillis moved that upon the recommendation of Roy J. Smith, Sergeant of Police, Traffic Division, the following persons be granted Taxicab Drivers Permits: Walter Scott Montague, 302 West 45th Street; Vernon Calvin Foster, 4411 Duval Street; and Edwin Charles Ross, 2105 Garden Street. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Alford offered the following resolution:

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Texas Public Service Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in WEST JAMES STREET from Bouldin Avenue east 203 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of and parallel to the north line of West James Street.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(2) A gas main in ROSEDALE AVENUE, beginning at the south line of West 41st Street and extending in a northerly direction for a distance of 150 feet, the centerline of which gas main shall be 15 feet west of and parallel to the east line of said Rosedale Avenue.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(3) A gas main in ONION STREET from East 4th Street to East 4th Street Alley, the centerline of which gas main shall be  $7\frac{1}{2}$  feet west of and parallel to the east line of said Onion Street.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Texas Public Service Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the City Engineering Department not less than three (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or

replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager and under all the pertinent terms and conditions of the certain franchise granted to said Company by the City of Austin.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Gillis introduced the following ordinance:

AN ORDINANCE AMENDING, IN THE CERTAIN PARTICULARS HEREINAFTER STATED, AN ORDINANCE ENTITLED: "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN; AND REGULATING AND DISTRICTING THE HEIGHT, NUMBER OF STORIES AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THE PERCENTAGE OF LOT THAT MAY BE OCCUPIED, THE SIZE OF YARDS, COURTS AND OTHER OPEN SPACES, THE DENSITY OF POPULATION, THE LOCATION AND USE OF BUILDINGS, STRUCTURES AND LAND FOR TRADE INDUSTRY, RESIDENCES AND OTHER PURPOSES; AND DIVIDING THE CITY OF AUSTIN INTO DISTRICTS OR ZONES, AND REGULATING AND DISTRICTING THE ERECTION, CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR AND USE OF BUILDINGS, STRUCTURES OR LAND WITHIN SUCH DISTRICTS OR ZONES; AND PROVIDING UNIFORM REGULATIONS FOR THE SEVERAL CLASSES AND KINDS OF BUILDINGS OR STRUCTURES AND USES WITHIN THE DISTRICTS OR ZONES; AND ADOPTING TWO ZONING MAPS, DISCLOSING RESPECTIVELY THE SEVERAL USE DISTRICTS AND THE SEVERAL HEIGHT AND AREA DISTRICTS, AND THE RESTRICTIONS AND LIMITATIONS AND PROVISIONS APPLICABLE TO SUCH DISTRICTS; AND PROVIDING FOR A BOARD OF ADJUSTMENT AND DEFINING THE POWERS OF SAME; AND PROVIDING CERTAIN PENALTIES AND REMEDIES; AND DECLARING AN EMERGENCY. "

The ordinance was read the first time and Councilman Gillis moved that the rule be suspended and the ordinance be passed to its second reading. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The ordinance was read the second time and Councilman Gillis moved that the rule be further suspended and the ordinance be passed to its third reading. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none;

The ordinance was read the third time and Councilman Wolf moved that same be finally passed. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The following matters were referred to the City Manager for immediate attention:

- (1) The installation of a traffic light on South Congress Avenue at Johanna Street, and, if funds are available for same, a traffic light on South Congress Avenue at Monroe Street;
- (2) The marking of traffic lanes on South Congress Avenue, designating the outside lanes for slow drivers;
- (3) Investigation of advisability of a traffic light at 29th and Guadalupe Street;
- (4) Investigation of the effect of the traffic light at 11th and Congress Avenue, with a view to determining whether or not the same should be removed;
- and (5) The installation of a traffic light on Guadalupe Street at Baker School.

Mayor Miller offered the following resolution:

WHEREAS, The City Council of the City of Austin recognizes the necessity for concerted action by the public, the press, the police officers, and all other agencies interested in the civic welfare of the City of Austin if the appalling toll of injuries and deaths on our public streets is to be reduced; and

WHEREAS, The City Council further believes that the ministers of Austin have been and can continue to be of material help in making their congregations traffic conscious; and

WHEREAS, A definite date in all of the churches of Austin, to be known as "Safety Sunday," is desirable for the purpose of emphasizing the great need for care and alertness on the part of pedestrians and automobile drivers; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, THROUGH THE MAYOR:

THAT Sunday, November 10, 1935, be designated as "Safety Sunday" throughout the City and that all ministers be requested to carry safety messages in their respective churches calling upon all to safeguard themselves and to help protect the lives and observe the rights of their fellow citizens, whether walking or driving, and more particularly to assist in safeguarding the children on our streets, schools, and playgrounds.

It was moved by Councilman Wolf, seconded by Councilman Bartholomew, that the resolution be adopted. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Wolf offered the following resolution:

WHEREAS, the Federal Emergency Administration of Public Works, through the State Engineer, has authorized the construction of the Nurses Home for the City of Austin, being Docket No. 9224; and

WHEREAS, the contract price for the construction of same amounted to \$77,370.00, and the grant agreement covering this project indicates a cost of \$55,000.00, of which \$38,000.00 was to be paid by the City of Austin, and on the basis of the actual contract the amount to be paid by the City of Austin is \$60,370.00; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Manager be and he is hereby directed to notify the State Engineer of the Federal Public Works Administration that funds amounting to \$61,000.00 are hereby appropriated to pay the City's portion of the cost and that he further notify the State Engineer that sufficient funds are now on hand in the depository banks of the City to pay the entire amount above stipulated, and he is further directed to send to the State Engineer three copies of this resolution outlining the action of the City Council in making these funds available and to assure the United States Government that the City of Austin has on hand and has made available sufficient funds to insure the completion of the project in accordance with the customary regulations.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

There being no further business, upon motion of Councilman Bartholomew, the Council recessed subject to call of the Mayor, by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The Council then recessed at 12:30 P. M.

Approved: \_\_\_\_\_

*Tom Miller*  
MAYOR.

Attest:

*Hallie G. Keller*

City Clerk